

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ROME DIVISION

EARL PARRIS, JR., individually, and  
on behalf of a Class of persons similarly  
situated,

*Plaintiff,*

CITY OF SUMMERVILLE,  
GEORGIA,

*Intervenor-Plaintiff,*

V.

3M COMPANY, et al.,

*Defendants.*

Civil Action No.  
4:21-cv-40-TWT

## **NOTICE OF SERVICE OF PROPOSED CONSENT DECREE**

Plaintiff Earl Parris, Jr., by and through his undersigned counsel, files this Notice for the purpose of notifying the Court that Plaintiff has, pursuant to 33 U.S.C. § 1365(c)(3) and 40 C.F.R. 135.5(b), served the Proposed Consent Decree between Plaintiff, Intervenor-Plaintiff and Defendant Ryan Dejuan Jarrett (“Jarrett”) – previously lodged with this Court on July 20, 2022 [Doc. 216-1] – on the United States Department of Justice (“USDOJ”) and the United States Environmental Protection Agency (“USEPA”). As evidenced by Exhibit A attached hereto and

incorporated herein, service of the Proposed Consent Decree was had on USDOJ on July 21, 2022. As evidenced by Exhibit B attached hereto and incorporated herein, service of the Proposed Consent Decree was had on USEPA on July 25, 2022.

As further set forth in Exhibit A, USDOJ has determined that the 45-day review and comment period mandated by 33 U.S.C. § 1365(c)(3) ends on **September 5, 2022**. Pursuant to 40 C.F.R. 135.5(b), the Consent Decree should not be entered by the Court prior to this date, or until USDOJ informs the Court it has completed its review. At such time, the Parties would respectfully ask the Court to approve and enter the Consent Decree, thereby fully resolving this litigation as to Defendant Jarrett.

This the 1<sup>st</sup> day of August, 2022.

Respectfully Submitted,

/s/ James S. Whitlock  
Gary A. Davis (*phv*)  
James S. Whitlock (*phv*)  
Davis & Whitlock, P.C.  
21 Battery Park Avenue, Suite 206  
Asheville, NC 28801  
Telephone: (828) 622-0044  
Fax: 828-398-0435  
jwhitlock@enviroattorney.com  
gadavis@enviroattorney.com

Jeffrey J. Dean  
Ga. Bar #006890  
Thomas Causby

Ga. Bar # 968006  
Morris & Dean, LLC  
101 E. Crawford St.  
Dalton, GA 30720  
jeff@morrisanddean.com  
tom@morrisanddean.com  
Phone: 706-226-0300  
Fax: 706-229-4363

*Attorneys for Plaintiffs*

**CERTIFICATE OF COMPLIANCE**

Pursuant to Northern District of Georgia Civil Local Rule 7.1(D), the undersigned counsel certifies that the foregoing filing is prepared in Times New Roman point font, as mandated in Local Rule 5.1(C).

This the 1<sup>st</sup> day of August, 2022.

/s/ James S. Whitlock

**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing **NOTICE OF SERVICE OF PROPOSED CONSENT DECREE** has been filed electronically with the Clerk of Court by using the CM/ECF system which will automatically email all counsel of record.

This the 1<sup>st</sup> day of August, 2022.

/s James S. Whitlock